

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**UNITED STATES OF AMERICA**

**vs.**

**(1) MOISES JAEKOB VARGAS**

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**CRIMINAL NO: SA:22-CR-00579(1)-XR**

**SCHEDULING ORDER**

The Court, having considered the status of this case, and for the purpose of docket management, hereby enters the following schedule as to the defendant:

The deadline for notifying the Court of any **PLEA AGREEMENT** entered into by the parties in this cause is **Friday, December 30, 2022**. No plea agreement entered into after that date will be honored by this Court without good cause shown for the delay.

**DOCKET CALL** or **REARRAIGNMENT AND PLEA** are set for **Thursday, January 05, 2023** at **1:30 P.M.** in Courtroom H, Third Floor of the United States Courthouse, 262 W. Nueva Street, San Antonio, Texas. Proposed jury instructions, voir dire, and motions in limine shall be filed by **Friday, December 23, 2022**.

***DO NOT ASSUME A CONTINUANCE IS GRANTED--YOU MUST HAVE A SIGNED ORDER BY THE COURT OR HAVE RECEIVED A CALL FROM THE COURTROOM DEPUTY OR COURT STAFF ADVISING OF SAME.***

**JURY SELECTION AND TRIAL** are set for **Tuesday, January 17, 2023** at **9:00 A.M.**, in Courtroom Number H, Third Floor of the United States Courthouse, 262 W. Nueva Street, San Antonio, Texas. Motions to Suppress will be heard immediately prior to Jury Selection or will be carried with the trial unless otherwise ordered by the Court.

**MOTIONS TO SUPPRESS** must include a specific statement of the facts which, if proven, would justify relief. United States v. Harrelson, 705 F.2d 733, 737 (5th Cir. 1983); United States v. Moreno-Pizano, 2001 U.S. Dist. LEXIS 6195 at \*2-\*3 (W.D. Tex. April 11, 2001). Failure to state the facts with particular specificity, and provide the specific authorities relied upon will warrant a denial of an evidentiary hearing. U.S., 2001 LEXIS 6195 at \*2.

No motion for continuance shall be considered unless accompanied by a proposed order setting forth the reasons for excluding the additional time requested from speedy trial calculations pursuant to Title 18 U.S.C. § 3161(h).

Attorneys are reminded that it is their duty to advise clients, witnesses and others concerning rules of decorum to be observed in the court, Local Court Rule AT-5.

**AS A REMINDER TO THE ATTORNEY FOR DEFENDANT:**

If your client is in custody, arrangements should be made with the U.S. Marshal Service prior to the date of jury selection and trial to ensure your client has proper attire. In addition, whenever defendants or witnesses have a need for the services of the **Court Interpreter**, please notify Sylvia Ann Fernandez, Courtroom Deputy to Judge Xavier Rodriguez, 210-244-5011, no later than **five (5)** days before this court setting.

***ALL EXHIBITS SHALL BE MARKED WITH BOTH THE CASE AND EXHIBIT NUMBERS BY COUNSEL PRIOR TO TRIAL.***

The Clerk of Court shall send a copy of this order to the United States Attorney, attorney for the defendant, United States Marshal, United States Probation Officer, and Pretrial Services Officer. **Counsel for the defendant shall notify the defendant of this setting**, and if the defendant is on bond, advise the defendant that he or she must be present for all court settings unless excused by the Court. If the defendant is in **state custody, or a writ required**, the Assistant United States Attorney and defense counsel shall immediately prepare and file with the Clerk's Office the appropriate application, order, and writ.

All inquiries pertaining to this Scheduling Order should be directed to Sylvia Ann Fernandez, Courtroom Deputy for Judge Xavier Rodriguez, at (210) 244-5011.

Signed this 21st day of November, 2022.

  
**XAVIER RODRIGUEZ**  
**UNITED STATES DISTRICT JUDGE**